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October 25, 2021

VIA ELECTRONIC FILING

Hon. Elizabeth A. Wolford
Chief United States District Judge
Kenneth B. Keating Federal Building
100 State Street
Rochester, New York 14614

Re: *Garcia v. Lewis Tree Service, Inc., et al.*
Civ No. 21-cv-06393

Dear Chief Judge Wolford:

We represent defendants Lewis Tree Service, Inc. and Robert Gaston in the above-referenced case. We write to respectfully request a one-week extension of Defendants' time to file reply papers in further support of their motion to dismiss (Dkt. 11-13). Pursuant to Your Honor's Text Order issued August 30, 2021 (Dkt. 16), the current deadline for the reply is Friday, October 29, 2021. We therefore respectfully request an extension to November 5, 2021.

The parties have made previous requests to extend deadlines in connection with this motion to dismiss. On July 27, 2021, Defendants requested a one-week extension of time to file their initial motion papers (Dkt. 9). On August 29, 2021, Plaintiff filed a request, joined by Defendants, for a 45-day extension of time to file his opposition to the motion to dismiss, with two weeks for Defendants' reply (Dkt. 15). In recognition of the fact that these prior requests have been made and granted by the Court, we seek only a short one-week extension. The reason for the request is counsel conflicts with other matters. Plaintiff's counsel, Mr. Shalom, has informed me that he consents to this request.

Thank you for your consideration.

Very truly yours,

BOND, SCHOENECK & KING, PLLC

/s/ Peter Wiltenburg

Peter H. Wiltenburg
Associate



cc: Jonathan Shalom, Esq. (*via* ECF)
Jessica C. Moller, Esq.